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**Cronan O'Connell**  
Vice President-Federal Regulatory

## EX PARTE

### *Electronic Filing via ECFS*

July 21, 2005

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW Room TW B-204  
Washington, DC 20554

RE: *In the Matter of IP-Enabled Services*, WC Docket No. 04-36

Dear Ms. Dortch:

The attached letter, dated July 14, 2005, from Roland R. Thornton, Executive Vice President-Wholesale Markets for Qwest, to Jeffrey A. Citron, Chairman and CEO of Vonage Holdings Corporation, is being submitted for inclusion in the record of the above-captioned proceeding. This correspondence responds to a letter of July 1, 2005 from Mr. Citron to Richard C. Notebaert, Chairman and CEO for Qwest, regarding E911 implementation efforts in connection with the Commission's June 3, 2005 *First Report and Order* (FCC 05-116).

Pursuant to Section 1.1206 of the Commission's rules, this *ex parte* letter is being electronically filed with the Commission in accordance with Section 1.49(f) of those same rules. Please contact the undersigned at 202-429-3121 should you have any questions.

Sincerely,

/s/ Cronan O'Connell

Attachment

Copy to:

Chairman Kevin J. Martin ([kevin.martin@fcc.gov](mailto:kevin.martin@fcc.gov))  
Commissioner Kathleen Q. Abernathy ([kathleen.abernathy@fcc.gov](mailto:kathleen.abernathy@fcc.gov))  
Commissioner Michael J. Copps ([michael.copps@fcc.gov](mailto:michael.copps@fcc.gov))  
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**Roland R. Thornton**  
Executive Vice President  
Wholesale Markets

July 14, 2005

**Via Facsimile and Overnight Mail**

Mr. Jeffrey A. Citron  
Chairman and CEO  
Vonage Holdings Corp  
2147 Route 27  
Edison, NJ 08817

Re: E911

Dear Mr. Citron,

I am responding to your July 1, 2005 letter to Dick Notebaert regarding the progress our two companies have made toward implementing an E911 solution to facilitate Vonage's compliance with the Federal Communications Commission's E911 Order. Dick and I take very seriously our commitment to work with VOIP providers on their E911 solutions, and we both were disappointed to see that your letter ignores many of the specific activities undertaken by our companies to support Vonage's E911 implementation efforts.

As indicated in Qwest's April 11, 2005 letter to you, Qwest has undertaken numerous measures to assist Vonage with its E911 implementation activities. We have dedicated a team of professionals to work directly with Vonage. This team meets weekly with Vonage regarding this issue. We have provided specific information to Vonage about how Qwest's 911 products can provide Vonage connectivity access to the selective routers and the ALI database. We have provided information about how our 911 products may work with the steering functions Vonage selects from other vendors to direct its VoIP customers' calls to PSAPs. And, we have provided order examples, worksheets and instructions and explained our ordering and provisioning process for our 911 products. We took these and other steps to ensure that when Vonage is ready to implement its E911 solution, it has the necessary information, and is fully prepared, to place orders for Qwest's 911 products.

As our teams have discussed, once Vonage provides to Qwest completed orders and worksheets, our companies can establish a timetable for Vonage's access to the selective routers and turn up of the ports to those routers. As part of the turn up process, Qwest has suggested to Vonage that it should arrange testing of the service with the appropriate PSAP and Qwest.


In response to the reference in your letter to Qwest's assignment of a p-ANI to Vonage, Qwest is unable to provide p-ANI independent of our standard product offering. Qwest has told Vonage that like other customers of Qwest's 911 products (including wireless providers), Vonage must provide its own database of numbers (p-ANIs) that are native to the selective routers that Vonage will be accessing through Qwest.

With respect to the first of the three specific requests outlined in your July 1, 2005 letter, I have personally contacted Ed Mulligan to discuss the issues between our companies and will continue to work with Ed to ensure that the implementation activities continue smoothly. Regarding the second request, it appears that you have not personally received the pricing quotes and tariff references we sent to Ed Mulligan and Neil Wrightington on May 23, 2005. On that date, Qwest provided links to each of the state tariffs in Qwest's 14-state territory with the 911 product section references to allow Vonage to review all of the 911 products choices available. Additionally, Qwest provided a summary of the elements that best fit the requirements Vonage identified to Qwest in order to aid Vonage in its review of the tariffs. Qwest further simplified the rate elements summary and provided it to Vonage on May 31, 2005. Qwest provides these tariffed 911 products to customers on a non-discriminatory basis and will do so with Vonage. Finally, regarding your third request, although Dick has not yet received a call from your office to arrange a meeting with you, he would be happy to meet with you to discuss any additional concerns you may have.

Having said all this, I am compelled to raise a disturbing issue. It has come to our attention that, in response to an incident in Oregon where a Vonage customer's 911 call was reportedly misrouted, Vonage may have stated that one of the contributors to the incident was Qwest's purported lack of cooperation with Vonage in its E911 implementation efforts. If this information is accurate, Vonage's representations are false and, in light of everything I have outlined above, offensive. Please be advised that if such misrepresentations or similar misrepresentations are made, we will pursue all legal remedies against Vonage.

Qwest looks forward to continuing to work with Vonage to offer the Qwest services that will aid Vonage in delivering E911 service to its customers.

Sincerely,

  
Roland H. Thornton  
Executive Vice President – Wholesale Markets

cc: Dick Notebaert, Chairman and CEO, Qwest  
Ed Mulligan, Vice President of Carrier Operations, Vonage